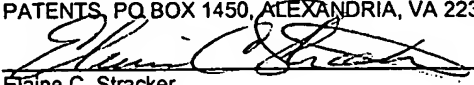


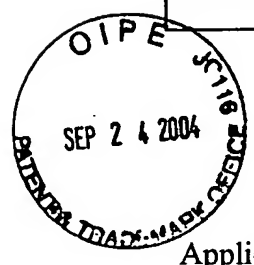
9-27-04

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Elaine C. Stracker



PATENT  
Attorney's Docket No.: 00025.04CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rabinowitz et al.  
Serial No.: 10/766,647  
Filed: 1/27/2004  
Title DELIVERY OF ANALGESICS THROUGH AN INHALATION ROUTE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with their continuing duty of disclosure under 37 CFR §§ 1.97, 1.98 and 1.56, Applicants hereby submit for consideration in the above-identified application the enclosed references. The Information Disclosure statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.


For the convenience of the Examiner, the references are listed on a PTO Form 1449 (attached) and copies thereof are enclosed. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

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Respectfully submitted,

SEP. 24 2004

Date: \_\_\_\_\_

  
Elaine C. Stracker J.D., Ph.D., Reg. 43,166

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1001 East Meadow Circle  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/766,647	
	Filing Date	1/27/2004	
	First Named Inventor	Joshua D. Rabinowitz	
	Art Unit	Not yet known	
	Examiner Name	To be assigned	
Total Number of Pages in This Submission		Attorney Docket Number	00025.04CON

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
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<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
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Firm or Individual name	ALEXZA MDC, 1001 East Meadow Circle, Palo Alto, CA 94303 · Customer Number 37485 Elaine C Stracker, Ph.D., J.D. Telephone (650)-687-3905
Signature	
Date	SEP. 24 2004

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INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: 00025.04CON

Application Number: 10/766,647

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 1/27/2004

Group Art Unit: Not Yet Known

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	01/05/1965	3,164,600	Janssen et al.			
	2.	03/18/1969	3,433,791	Bentley et al.			
	3.	02/02/1971	3,560,607	Hartley et al.			
	4.	05/27/1980	Re. 30,285	Babington			
	5.	01/23/1990	4,895,719	Radhakrishnun et al.			
	6.	09/17/1991	5,049,389	Radhakrishnun			
	7.	02/14/1995	5,388,574	Ingebrethsen			
	8.	08/13/1996	5,544,646	Lloyd et al.			
	9.	12/09/1997	5,694,919	Rubsamen et al.			
	10.	03/10/1998	5,724,957	Rubsamen et al.			
	11.	04/07/1998	5,735,263	Rubsamen et al.			
	12.	04/14/1998	5,738,865	Baichwal et al.			
	13.	06/02/1998	5,758,637	Ivri et al.			
	14.	06/29/1999	5,915,378	Lloyd et al.			
	15.	08/10/1999	5,934,272	Lloyd et al.			
	16.	09/28/1999	5,957,124	Lloyd et al.			
	17.	10/05/1999	5,960,792	Lloyd et al.			
	18.	11/30/1999	5,993,805	Sutton et al.			
	19.	03/28/2000	6,041,777	Faithfull et al.			
	20.	04/18/2000	6,051,566	Bianco			
	21.	08/01/2000	6,095,134	Sievers et al.			
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	24.	10/17/2000	6,133,327	Kimura et al.			
	25.	06/05/2001	6,241,969	Saidi et al.			
	26.	07/03/2001	6,255,334	Sands			
	27.	10/23/2001	6,306,431	Zhang et al.			

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# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

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Docket Number: 00025.04CON

Application Number: 10/766,647

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 1/27/2004

Group Art Unit: Not Yet Known

	28.	04/23/2002	6,376,550	Raber et al.			
	29.	01/14/2003	6,506,762	Horvath et al.			
	30.	02/04/2003	6,514,482	Bartus et al.			
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	32.	09/06/2001	US 2001/0020147	Staniforth et al.			
	33.	03/28/2002	US 2002/0037828	Wilson et al.			
	34.	05/16/2002	US 2002/0058009	Bartus et al.			
	35.	07/04/2002	US 2002/0086852	Cantor			
	36.	08/22/2002	US 2002/0112723	Schuster et al.			
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	38.	01/02/2003	US 2003/0004142	Prior et al.			
	39.	02/13/2003	US 2003/0032638	Kim et al.			

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	40.	08/04/2003	10/633,876	Hale et al.			
	41.	08/04/2003	10/633,877	Hale et al.			
	42.	12/30/2003	10/749,537	Rabinowitz et al.			
	43.	12/30/2003	10/749,539	Rabinowitz et al.			
	44.	01/27/2004	10/766,149	Rabinowitz et al.			
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	49.	01/28/2004	10/767,115	Rabinowitz et al.			
	50.	01/29/2004	10/768,205	Rabinowitz et al.			
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	54.	01/30/2004	10/769,046	Rabinowitz et al.			
	55.	01/30/2004	10/769,051	Rabinowitz et al.			

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	56.	01/29/2004	10/769,157	Rabinowitz et al.			
	57.	01/29/2004	10/769,197	Rabinowitz et al.			
	58.	02/09/2004	10/775,583	Rabinowitz et al.			
	59.	02/09/2004	10/775,586	Rabinowitz et al.			
	60.	03/03/2004	10/791,915	Hale et al.			
	61.	03/03/2004	10/792,001	Rabinowitz et al.			
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	66.	03/31/2004	10/813,721	Rabinowitz et al.			
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	72.	04/01/2004	10/816,492	Rabinowitz et al.			
	73.	04/01/2004	10/816,567	Rabinowitz et al.			
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	75.	01/23/2003	US 2003/0015196	Hodges et al.			
	76.	04/03/2003	US 2003/0062042	Wensley et al.			
	77.	11/13/2003	US 2003/0209240	Hale et al.			
	78.	01/02/2003	US 2003/0000518	Rabinowitz et al.			
	79.	01/09/2003	US 2003/0005924	Rabinowitz et al.			
	80.	01/09/2003	US 2003/0005925	Hale et al.			
	81.	01/09/2003	US 2003/0007933	Rabinowitz et al.			
	82.	01/09/2003	US 2003/0007934	Rabinowitz et al.			
	83.	01/16/2003	US 2003/0012737	Rabinowitz et al.			
	84.	01/16/2003	US 2003/0012738	Rabinowitz et al.			
	85.	1/16/2003	US 2003/0012740	Rabinowitz et al.			

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Docket Number: 00025.04CON

Application Number: 10/766,647

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 1/27/2004

Group Art Unit: Not Yet Known

86.	01/23/2003	US 2003/0015189	Rabinowitz et al.			
87.	01/23/2003	US 2003/0015190	Rabinowitz et al.			
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101.	07/31/2003	US 2003/0138382	Rabinowitz			
102.	11/06/2003	US 2003/0206869	Rabinowitz et al.			
103.	01/15/2004	US 2004/0009128	Rabinowitz et al.			
104.	05/20/2004	US 2004/0096402	Hodges et al.			
105.	05/27/2004	US 2004/0099269	Hale et al.			
106.	06/03/2004	US 2004/0105818	Hale et al.			
107.	06/03/2004	US 2004/0105819	Hale et al.			
108.	07/01/2004	US 2004/0126326	Rabinowitz et al.			
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115.	08/12/2004	US 2004/0156789	Rabinowitz et al.			

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Docket Number: 00025.04CON

Application Number: 10/766,647

Applicant: Joshua D. RABINOWITZ et al.

Filing Date: 1/27/2004

Group Art Unit: Not Yet Known

	116.	8/12/2004	US 2004/0156790	Rabinowitz et al.			
	117.	08/12/2004	US 2004/0156791	Rabinowitz et al.			

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation	
							YES	NO
	118.	03/14/1990	EP 0 358 114	Europe				
	119.	02/06/2000	EP 1 177 793	Europe				
	120.	07/03/2001	EP 1 080 720	Europe				
	121.	08/29/2001	EP 0 606 486	Europe				
	122.	06/13/1991	WO 91/07947	WIPO				
	123.	04/16/1992	WO 92/05781	WIPO				
	124.	04/11/1996	WO 96/09846	WIPO				
	125.	05/09/1996	WO 96/13161	WIPO				
	126.	05/09/1996	WO 96/13290	WIPO				
	127.	05/09/1996	WO 96/13291	WIPO				
	128.	05/09/1996	WO 96/13292	WIPO				
	129.	10/03/1996	WO 96/30068	WIPO				
	130.	05/22/1997	WO 97/17948	WIPO				
	131.	08/07/1997	WO 97/27804	WIPO				
	132.	05/28/1998	WO 98/22170	WIPO				
	133.	07/23/1998	WO 98/31346	WIPO				
	134.	08/27/1998	WO 98/36651	WIPO				
	135.	04/08/1999	WO 99/16419	WIPO				
	136.	12/16/1999	WO 99/64094	WIPO				
	137.	01/06/2000	WO 00/00176	WIPO				
	138.	01/06/2000	WO 00/00215	WIPO				

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	Applicant: Joshua D. RABINOWITZ et al.	
	Filing Date: 1/27/2004	Group Art Unit: Not Yet Known

	139.	05/18/2000	WO 00/27363	WIPO			
	140.	05/25/2000	WO 00/29053	WIPO			
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	142.	11/02/2000	WO 00/64940	WIPO			
	143.	11/09/2000	WO 00/66084	WIPO			
	144.	11/09/2000	WO 00/66206	WIPO			
	145.	12/07/2000	WO 00/72827	WIPO			
	146.	12/21/2000	WO 00/76673	WIPO			
	147.	01/25/2001	WO 01/05459	WIPO			
	148.	03/01/2001	WO 01/13957	WIPO			
	149.	03/15/2001	WO 01/17568	WIPO			
	150.	03/28/2002	WO 02/24158	WIPO			

## OTHER DOCUMENTS

*(including author, title, Date, Pertinent Pages, Etc.)*

Examiner Initials	Ref. No.	Title
	151.	Bennett, R.L. et al. (1981). "Patient-Controlled Analgesia: A New Concept of Postoperative Pain Relief," <i>Annual Surg.</i> 195(6):700-705.
	152.	Carroll, M.E. et al. (1990), "Cocaine-base smoking in rhesus monkeys: reinforcing and physiological effects," <i>Psychopharmacology</i> (Berl). 102:443-450.
	153.	Clark, A. and Byron, P. (1986). "Dependence of Pulmonary Absorption Kinetics on Aerosol Particle Size," <i>Z. Erkrank.</i> 166:13-24.
	154.	Darquenne, C. et al. (1997). "Aerosol Dispersion in Human Lung: Comparison Between Numerical Simulations and Experiments for Bolus Tests," <i>American Physiological Society.</i> 966-974.
	155.	Davies, C.N. et al. (May 1972). "Breathing of Half-Micron Aerosols," <i>Journal of Applied Physiology.</i> 32(5):591-600.
	156.	Dershwitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," <i>Anesthesiology.</i> 93(3): 619-628.
	157.	Finlay, W.H. (2001). "The Mechanics of Inhaled Pharmaceutical Aerosols", Academic Press: San Diego Formula 2.39. pp.3-14 (Table of Contents). pp. v-viii.

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<b>Form PTO-1449</b>  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <i>(Use several sheets if necessary)</i>	Docket Number: 00025.04CON	Application Number: 10/766,647
	Applicant: Joshua D. RABINOWITZ et al.	
	Filing Date: 1/27/2004	Group Art Unit: Not Yet Known

158.	Gonda, I. (1991). "Particle Deposition in the Human Respiratory Tract," Chapter 176, <u>The Lung: Scientific Foundations</u> . Crystal R.G. and West, J.B. (eds.), Raven Publishers, New York. pp. 2289-2294.
159.	Hatsukami D, et al. (May 1990) "A method for delivery of precise doses of smoked cocaine-base to humans." <i>Pharmacology Biochemistry &amp; Behavior</i> . 36(1):1-7.
160.	Heyder, J. et al. (1986). "Deposition of Particles in the Human Respiratory Tract in the Size Range 0.005-15 $\mu\text{m}$ ," <i>J. Aerosol Sci.</i> 17(5):811-822.
161.	Huizer, H., "Analytical studies on illicit heron. V. Efficacy of volatilization during heroin smoking." <i>Pharmaceutisch Weekblad Scientific Edition</i> (1987). 9(4):203-211.
162.	Hurt, R.D., MD and Robertson, C.R., PhD, (October 1998). "Prying Open the Door to the Tobacco Industry's Secrets About Nicotine: The Minnesota Tobacco Trial," <i>JAMA</i> 280(13):1173-1181.
163.	Lichtman, A.H. et al. (1996). "Inhalation Exposure to Volatilized Opioids Produces Antinociception in Mice," <i>Journal of Pharmacology and Experimental Therapeutics</i> . 279(1):69-76.
164.	Martin, B.R. and Lue, L.P. (May/June 1989). "Pyrolysis and Volatilization of Cocaine," <i>Journal of Analytical Toxicology</i> 13:158-162.
165.	Mattox, A.J. and Carroll, M.E., (1996). "Smoked heroin self-administration in rhesus monkeys," <i>Psychopharmacology</i> , 125:195-201.
166.	Meng, Y. et al. "Inhalation Studies With Drugs of Abuse," <i>NIDA Research Monograph</i> , (1997) 173:201-224.
167.	Meng, Y., et al. (1999). "Pharmacological effects of methamphetamine and other stimulants via inhalation exposure," <i>Drug and Alcohol Dependence</i> . 53:111-120.
168.	Office Action mailed 8/13/2003 for US application 10/153,313 filed 05/21/2002 "DELIVERY OF BENZODIAZEPINES THROUGH AN INHALATION ROUTE"
169.	Pankow, J.F. et al. (1997). "Conversion of Nicotine in Tobacco Smoke to Its Volatile and Available Free-Base Form Through the Action of Gaseous Ammonia," <i>Environ. Sci. Technol.</i> 31:2428-2433.
170.	Pankow, J. (March 2000). ACS Conference-San Francisco-3/26/00. Chemistry of Tobacco Smoke. pp. 1-8.
171.	Seeman, J. et al. (1999). "The Form of Nicotine in Tobacco. Thermal Transfer of Nicotine and Nicotine Acid Salts to Nicotine in the Gas Phase," <i>J. Agric. Food Chem.</i> 47(12):5133-5145.
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173.	Vapotronics, Inc. (1998) located at <a href="http://www.vapotronics.com.au/banner.htm">http://www.vapotronics.com.au/banner.htm</a> , 11 pages, (visited on June 5, 2000).

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# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: 00025.04CON

Application Number: 10/766,647

Applicant: Joshua D. RABINOWITZ et al.

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174.

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